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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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ELDER ZACARIAS-LOPEZ,
#73584,

Plaintiff,

VS.

Defendants

2:12-cv-00548-GMN-GWF

ORDER

Plaintiff, who is in the custody of the Nevada Department of Corrections, has submitted a civil rights complaint (#4) pursuant to 42 U.S.C. § 1983, which previously has been screened (#3). On the showing made in the pauper application (#1), the Court finds that plaintiff is unable to pay a substantial initial partial filing fee toward the full filing fee of three hundred fifty dollars (\$350.00), pursuant to 28 U.S.C. § 1915(b)(1), and the application therefore will be granted as set forth herein.

21 || **IT THEREFORE IS ORDERED:**

22 1. Plaintiff's application (#1) to proceed *in forma pauperis* is GRANTED. Plaintiff
23 shall not be required to pay an initial partial filing fee. However, even if this action is
24 dismissed, the full filing fee still must be paid pursuant to 28 U.S.C. § 1915(b)(2).

25 2. Plaintiff is permitted to maintain this action to conclusion without the necessity
26 of prepayment of any additional fees or costs or the giving of security therefor. This order
27 granting leave to proceed *in forma pauperis* shall not extend to the issuance of subpoenas
28 at government expense.

1 3. Pursuant to 28 U.S.C. § 1915(b)(2), the Nevada Department of Corrections shall
2 pay to the Clerk of the United States District Court, District of Nevada, 20% of the preceding
3 month's deposits to plaintiff's account, in the months that the account exceeds \$10.00, until
4 the full \$350.00 filing fee has been paid for this action. **The Clerk of the Court shall SEND**
5 **a copy of this order to the Finance Division of the Clerk's Office. The Clerk shall also**
6 **SEND a copy of this order to the attention of the Chief of Inmate Services for the**
7 **Nevada Department of Corrections, P.O. Box 7011, Carson City, NV 89702.**

8 4. The Attorney General's Office, which has advised as to the defendants for whom
9 it can accept service, shall file, within **twenty-one (21) days** of entry of this order the last
10 known address(es) of those identifiable defendant(s) for whom it has not accepted service

11 5. If service cannot be accepted for any of the named defendant(s), plaintiff shall
12 file a motion identifying the unserved defendant(s), requesting issuance of a summons, and
13 specifying a full name and address for said defendant(s).

14 6. The defendants for whom service has been accepted shall file and serve an
15 answer or other response to the complaint within **sixty (60) days** from entry of this order.

16 7. Henceforth, plaintiff shall serve upon defendant(s) or, if an appearance has
17 been entered by counsel, upon their attorney(s), a copy of every pleading, motion or other
18 document submitted for consideration by the Court. Plaintiff shall include with the original
19 paper submitted for filing a certificate stating the date that a true and correct copy of the
20 document was mailed to the defendants or counsel for the defendants. If counsel has
21 entered a notice of appearance, the plaintiff shall direct service to the individual attorney
22 named in the notice of appearance, at the address stated therein. The Court may disregard
23 any paper received by a district judge or magistrate judge which has not been filed with the
24 Clerk, and any paper received by a district judge, magistrate judge, or the Clerk which fails
25 to include a certificate showing proper service.

26 DATED this 22nd day of June, 2012.

Gloria M. Navarro
United States District Judge